#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, ILLINOIS 60604

#### Sampling Report

**Date of Sampling Event:** 

May 4, 2017

Facility Name:

Container Life Cycle Management, LLC

d/b/a Mid-America Steel Drum

**Facility Address:** 

8570 South Chicago Road

Oak Creek, Wisconsin 53154

**EPA RCRA ID Number:** 

WID045953189

**Generator Status:** 

Small Quantity Generator

**Facility Contact:** 

Kevin Meyer

Plant Manager

**EPA Contact:** 

Brenda Whitney - Environmental Engineer

RCRA Branch

Compliance Section 2

Land and Chemicals Division

Prepared By:

Brenda Whitney - Environmental Engineer

1-5-1

r Dat

Approved By:

Julie Morris – Chief, Compliance Section 2

Date

#### Purpose of the Sampling Event

An unannounced Sampling Event at Mid-America Steel Drum ("MASD-OC") located at 8570 Chicago Road, in Oak Creek, Wisconsin, took place on May 4, 2017. MASD-OC has notified as a small quantity generator (SQG) of hazardous waste. Graciela Scambiatterra accompanied me during this event. In addition to facility representatives, attorneys from the Foley & Lardner LLP ("F&L") were present during the event.

The Sampling Event was conducted at three MASD facilities in the Milwaukee area simultaneously in order to obtain analytical data to supplement an evaluation of MASD's compliance at these three facilities with the appropriate hazardous waste regulations codified at the authorized Wisconsin Administrative Code and the Code of Federal Regulations. This report is a record of the MASD-OC facility sampling event only. Reports for the other two facilities are written under separate cover.

#### **Participants**

The following people were present for part or all of this event:

Chris Mosely -	Maintenance	Engineer	MASD-OC
CITIES INTOSCIA	' iviaimunamu	Engineer	MIMOD-OC

David Lowry – Assistant Plant Manager MASD-OC

Kevin Meyer – Plant Manager MASD-OC

Sherry Kannenberg – Receptionist MASD-OC

Mike Flanagan – Attorney F&L

Sarah Slack – Attorney F&L

Graciela Scambiatterra – Environmental Scientist EPA

Brenda Whitney – Environmental Engineer EPA

#### Introduction

The sampling event was conducted simultaneously at three MASD facilities. as the next logical step in an on-going effort to respond to inquiries made by State representatives as well as by citizens in the areas surrounding the facility pursuant to an article published in the Milwaukee Journal Sentinel on February 15, 2017. The article discussed potential environmental and human health hazards presented by the operations at the MASD facilities, prompting an inter-agency response. An initial inspection was conducted at this facility on March 2, 2017, in coordination with PHMSA (DOT) and WDNR. Based on observations made during that inspection, EPA procured a federal warrant in order to conduct this sampling event.

#### **Pre-Site Visit**

Prior to the sampling event, EPA inspectors completed a Health and Safety Plan (HASP), a Sampling Analysis Plan (SAP), and a Quality Assurance Project Plan (QAPP). An *ex parte* administrative warrant from the U.S. District Court Eastern District of Wisconsin was procured on May 2, 2017.

#### Site Visit

Ms. Scambiatterra and I made entry at the Facility at 10:10 am. We noticed a distinct chemical odor in the air. I observed visible gray emissions from the stack associated with the furnace. As we walked into the office, we presented the warrant to Ms. Kannenberg. We informed the MASD personnel that we would be sampling at the site that day, and that the warrant allowed us unimpeded access to the site. Mr. Mosely was assigned to assist us through the site and accompanied us to their storage dock, hereinafter referred to as the "Heavies Dock," which is a holding area for containers that are to be returned to the vendor without being processed. MASD

questioned our ability to enter the site without MASD's attorneys present. Ms. Scambiatterra provided Ms. Kannenberg with the phone number for the Assistant U.S. Attorney, Michael Carter, who was put in contact MASD's attorneys at F&L in order that they may discuss the warrant, and F&L could counsel MASD regarding access to the Facility. Access was acknowledged by MASD at approximately 10:35am.

Photographs were taken at the Heavies Dock (See Appendix A: Photographs 1-3). We instructed the facility representatives not to move the photographed containers from the area. We then proceeded to the drum storage dock at the furnace, hereinafter referred to as the "Furnace Dock." Photographs were taken at this dock (See Appendix A: Photographs 4-10A) We observed a drum of paint-booth filters and cardboard (See Appendix A: Photograph 11). We were told that they were awaiting sample results for those filters.

We next chose to select and stage containers for sampling on the Furnace Dock (See Appendix A: Photographs 12-13). One container was chosen from a truck trailer that had backed up to the Furnace Dock. Two drums were pulled from the conveyor that was heading to the furnace. Two additional drums, which had not yet been placed onto the conveyor, were chosen from the Furnace Dock. Three drums that were used to consolidate silicon-based wastes from off-site vendors were left in place, as they were full, and could not be lined up with the other containers.

After selecting and staging the eight containers, we came down from the Furnace Dock and observed a full drum outside of the main facility building that appeared to contain the same type of waste that was being accumulated in the three full drums on the Furnace Dock (See Appendix A: Photograph 14). Mr. Lowry confirmed that this drum was also a consolidation container. This container was labeled "Non-Regulated." In a garage area, identified by facility personnel as "The Hole", near the "Non-Regulated" container, were approximately 10 additional containers (See Appendix A: Photograph 15). These containers were labeled as "Non-Hazardous." Ms. Scambiatterra asked Messers. Lowry and Mosely if they knew what was in the containers, and they stated that they did not.

We then proceeded to the Heavies Dock to photograph, select and stage containers for sampling (See Appendix A: Photographs 16-17 and 19-20). A photograph was taken of a "Rejected" label on one of the containers (See Appendix A: Photograph 18). It did not appear that all containers were identified with one of these "Rejected" labels. After the selection, we returned to the car to collect our sampling equipment and to don protective gear.

#### Sampling - Heavies Dock

Sample No.	Time	Equipment Used	Depth of waste in Container	pH (approx.)	Splits Given	Additional Observations	Photo Number
OCS- 01	1:06pm	CoLiWaSa, pH paper, ruler, 16oz glass jars.	1.5 inches	4.5	Yes		21-23

OCS-	1:28pm	CoLiWaSa,	1.25	5	Yes		24-26
02	The transmission of the state o	pH paper, ruler, 16oz	inches	The state of the s			
		glass jars.					
OCS- 03	1:50pm	CoLiWaSa, pH paper, ruler, 16oz	1.5 inches	2.5	Yes		27-29
The state of the s		glass jars.				·	

#### Sampling - Furnace Dock

Sample No.	Time Taken	Equipment Used	Depth of Waste in Container	Approx.	Splits Given	Additional Observations	Photo Number
OCS- 04	2:17pm	Scoop, pH paper, ruler, 16oz glass jars	Unable to get depth.	9	Yes	Waste had a thin consistency and was pourable. Strong solvent odor.	30-31
OCS- 05	2:32pm	Scoop, pH paper, ruler, 16oz glass jars	5 inches	Incon- clusive	Yes	Waste was gummy and had a strong solvent odor.	32-33
OCS- 06	2:45pm	Scoop, pH paper, ruler, 16oz glass jars	3.5 inches	Incon- clusive	Yes	Waste was gummy and had a strong solvent odor.	34-35
OCS- 07	2:57pm	CoLiWaSa, pH paper, ruler, 16oz glass jars	7 inches	6	Yes	Clear watery consistency with black inky residual.	36-38
OCS- 08	3:09pm	Scoop, pH paper, ruler, 16oz glass jars	0.25-0.5 inches	4	Yes	Waste had a thin consistency and was pourable. Strong solvent odor.	39-41
OCS- 09	3:16pm	Scoop, pH paper, 16oz glass jars	Full Drum	6	Yes	Waste was gummy and had a strong solvent odor. Consolidation drum.	43*
OCS- 10 and OCS- 10- Dup	3:30pm	CoLiWaSa, pH paper, 16oz glass jars	Full Drum	6	Yes	Waste was gummy and had a strong solvent odor. Consolidation drum.	45*

OCS-	3:45pm	Scoop, pH	Full	6	Yes	Waste was gummy	47*
11	1	paper, 16oz	Drum		,	and had a strong	7
-		glass jars	novembra di sassani			solvent odor.	
						Consolidation	
			The second secon			drum.	
OCS-	3:55pm	Scoop, 16oz	N/A	N/A	Yes	Ash luggar box.	48
12		jars	4	***************************************	,		

\*NOTE: Entries for photographs 42, 44, and 46 were mistakenly logged into the logbook, however, these photos were never taken. The times associated with these entries in the logbook are attributed to the time the pH readings were made.

#### **Sampling - Completion**

The final sample was taken at 3:55pm. We proceeded to bag and tag the samples at that time. We prepared a chain of custody form for the samples as well as a sample receipt. Copies of these documents were provided to MASD upon our departure from the facility at 6:10pm.

#### **Appendices**

Appendix A: Photograph Log

Appendix B: Carbon Copy of Chain of Custody

Appendix C: Receipt for Samples

# Appendix A

# Photograph Log

#### **Sampling Even Date:**

May 4, 2017

#### Facility Name and ID Number:

Mid-America Steel Drum EPA ID: WID045953189

#### Photographers:

Brenda Whitney
Compliance Section 2
-andGraciela Scambiatterra
Compliance Section 1
RCRA Branch
Land and Chemicals Division

#### Camera Used:

Olympus Stylus 600

Serial Number: A47525904

Taken at 10:19 am CST Photo ID: P5040001

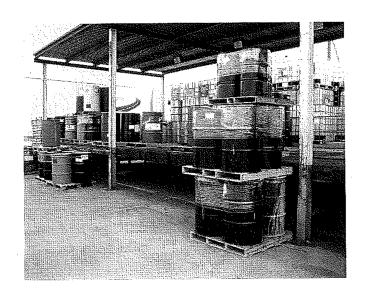
Heavies Dock.



#### Photograph 2

Taken at 10:19 am CST Photo ID: P5040002

Heavies Dock



Taken at 10:19 am CST Photo ID: P5040003

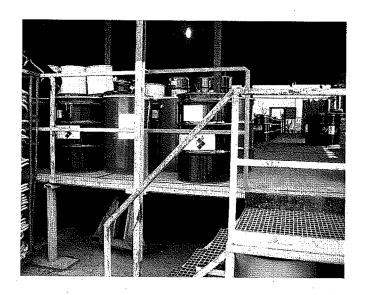
Heavies Dock.



## Photograph 4

Taken at 10:40 am CST Photo ID: P5040004

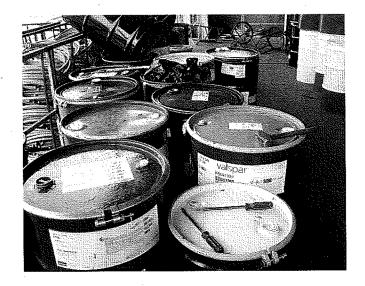
Furnace Dock.



Taken at 10:41 am CST Photo ID: P5040005

Furnace Dock.

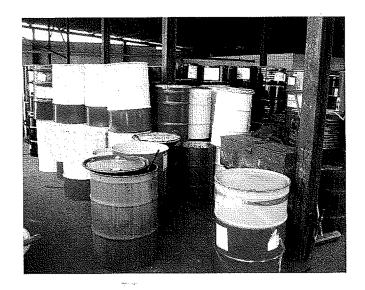
Note: Two containers in background are tipped into Consolidation Drums.



#### Photograph 6

Taken at 10:41 am CST Photo ID: P5040006

Furnace Dock.



Taken at 10:41 am CST Photo ID: P5040007

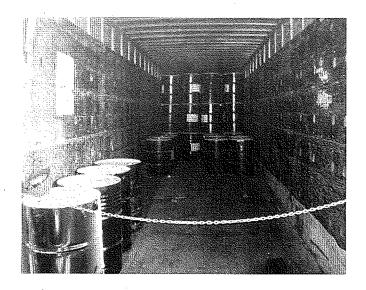
First trailer at Furnace Dock.



#### Photograph 8

Taken at 10:41 am CST Photo ID: P5040008

Second trailer at Furnace Dock.



Taken at 10:41 am CST Photo ID: P5040009

Third trailer at the Furnace Dock.

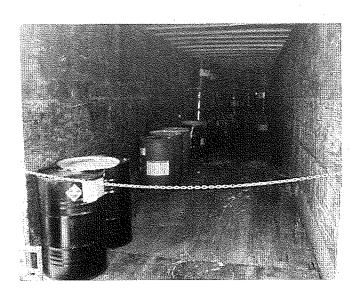


#### Photograph 10

Taken at 10:41 am CST Photo ID: P5040010

Fourth trailer at the Furnace Dock.

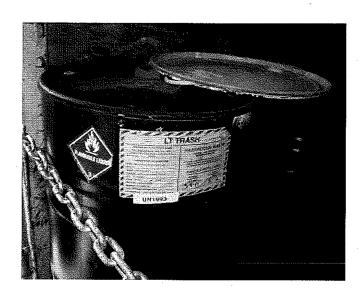
Note: the foremost container was initially selected for sampling.



## Photograph 10-A

Taken at 10:41 am CST Photo ID: P5040011

Close up of drum in the fourth trailer at the Furnace Dock identified in Photograph 10.



#### Photograph 11

Taken at 11:25 am CST Photo ID: P5040012

Full Drum of Paint Booth filters located at the Furnace Dock.



Taken at 11:35 am CST Photo ID: P5040013

Five drums staged for Sampling at the Furnace Dock.



#### Photograph 13

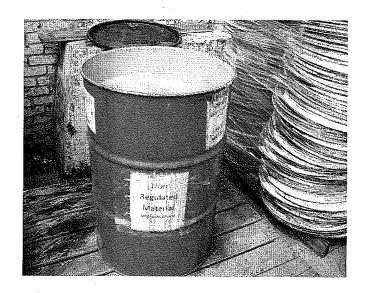
Taken at 11:36 am CST Photo ID: P5040014

Three drums closed to the railing are staged for sampling at the Furnace Dock.



Taken at 11:41 am CST Photo ID: P5040015

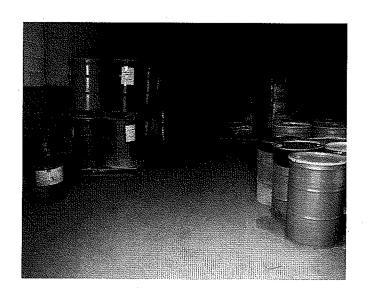
Full container of "Non-Regulated Material."



#### Photograph 15

Taken at 11:50 am CST Photo ID: P5040016

The "Hole." Containers were marked as "Non-Hazardous."



Taken at 11:50 am CST Photo ID: P5040017

Heavies Dock.



## Photograph 17

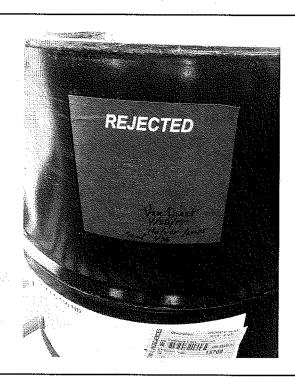
Taken at 11:50 am CST Photo ID: P5040018

Heavies Dock.



Taken at 11:55 am CST Photo ID: P5040019

Rejected Label on drum on the Heavies Dock.



#### Photograph 19

Taken at 12:15pm CST Photo ID: P5040020

Staged drums for sampling at the Heavies Dock.



7/3/2017

#### Photograph 20

Taken at 12:50pm CST Photo ID: P5040021

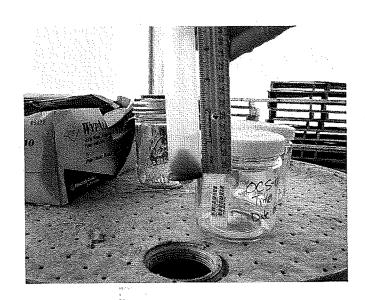
Staged drums at the Heavies Dock with sampling equipment.



## Photograph 21

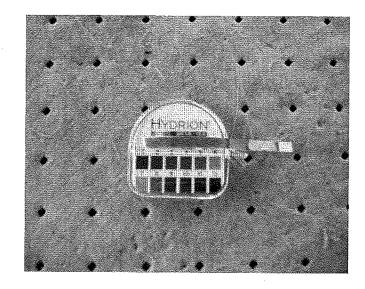
Taken at 12:55pm CST Photo ID: P5040022

Waste depth measurement for OCS-01.



Taken at 1:00pm CST Photo ID: P5040023

pH paper for OCS-01.



#### Photograph 23

Taken at 1:06pm CST Photo ID: P5040024

OCS-01 completed sample and split.

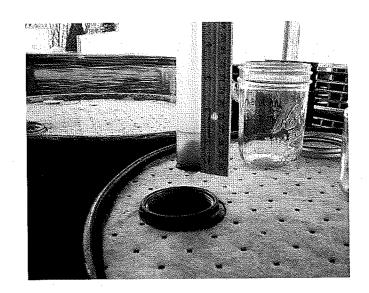


7/3/2017

# Photograph 24

Taken at 1:11pm CST Photo ID: P5040025

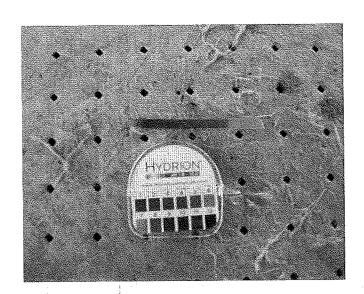
Waste depth measurement for OCS-02.



## Photograph 25

Taken at 1:12pm CST Photo ID: P5040026

pH paper for OCS-02.



Taken at 1:28pm CST Photo ID: P5040027

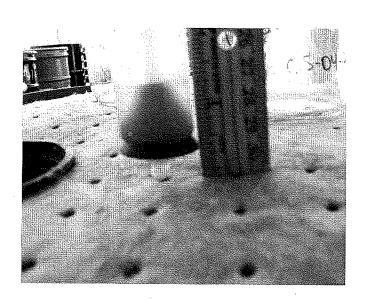
OCS-02 completed sample and split.



## Photograph 27

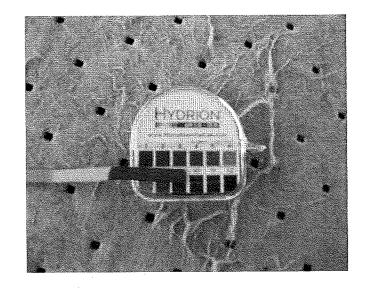
Taken at 1:35pm CST Photo ID: P5040028

Waste depth measurement for OCS-03.



Taken at 1:36pm CST Photo ID: P5040029

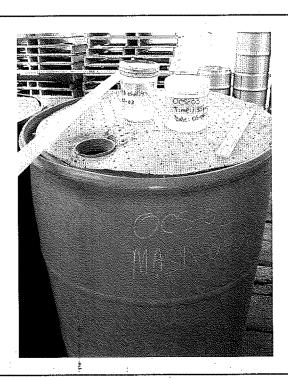
pH paper for OCS-03.



## Photograph 29

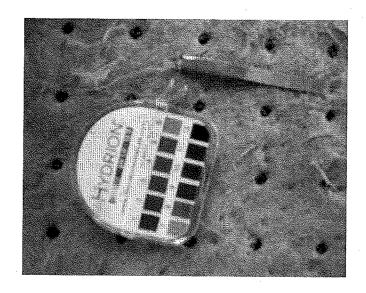
Taken at 1:50pm CST Photo ID: P5040030

OCS-03 completed sample and split. Only one 16oz jar was taken for EPA portion of sample.



Taken at 2:16pm CST Photo ID: P5040031

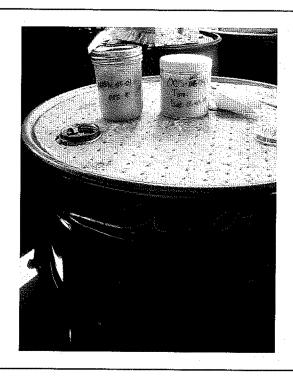
pH paper for OCS-04.



#### Photograph 31

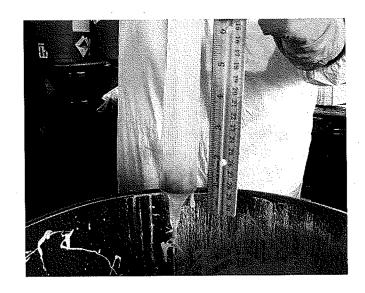
Taken at 2:17pm CST Photo ID: P5040032

OCS-04 completed sample and split. Only one 16 ounce jar was taken by EPA for this sample.



Taken at 2:23pm CST Photo ID: P5040033

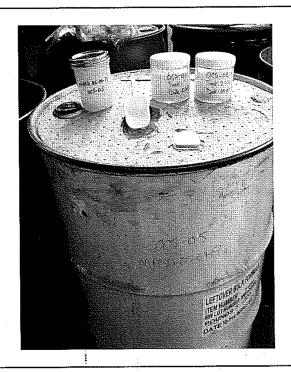
OCS-05 waste depth measurement.



# Photograph 33

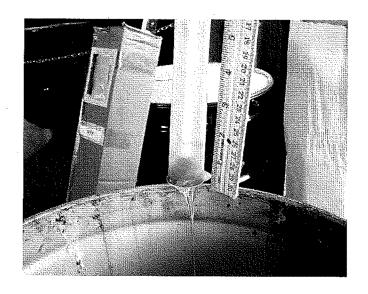
Taken at 2:32pm CST Photo ID: P5040034

OCS-05 completed sample and split.



Taken at 2:37pm CST Photo ID: P5040035

OCS-06 waste depth measurement.



#### Photograph 35

Taken at 2:45pm CST Photo ID: P5040036

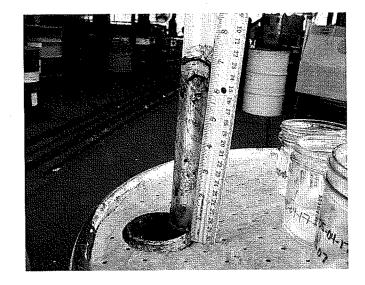
OCS-06 competed sample and split.

A label on the drum states "Rejected."



Taken at 2:50pm CST Photo ID: P5040037

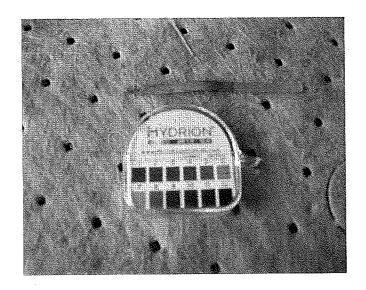
OCS\_07 waste depth measurement.



## Photograph 37

Taken at 2:57pm CST Photo ID: P5040038

pH paper for OCS-07.



Taken at 2:57pm CST Photo ID: P5040039

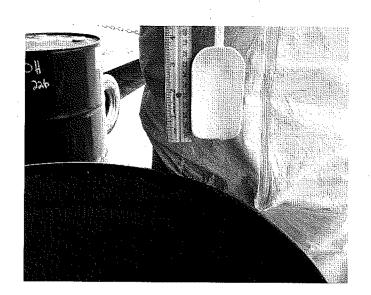
OCS-07 completed sample and split.



#### Photograph 39

Taken at 3:01pm CST Photo ID: P5040040

OCS-08 waste depth measurement demarcated by faint brown line on the scoop.

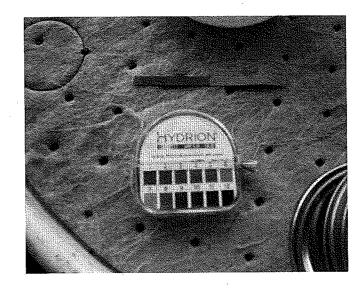


7/3/2017

# Photograph 40

Taken at 3:06pm CST Photo ID: P5040041

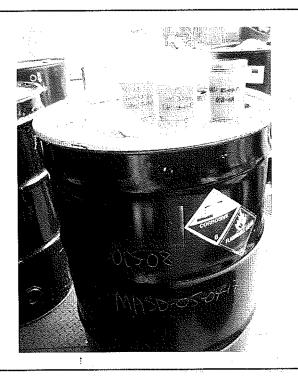
pH paper for OCS-08.



## Photograph 41

Taken at 3:09pm CST Photo ID: P5040042

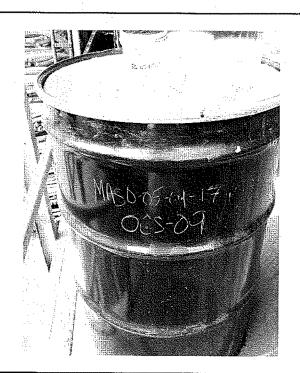
OCS-08 completed sample and split.



Taken at 3:16pm CST Photo ID: P5040043

OCS-09 completed sample and split.

Please note: Photograph 42 was logged in the log book. No photograph was taken.

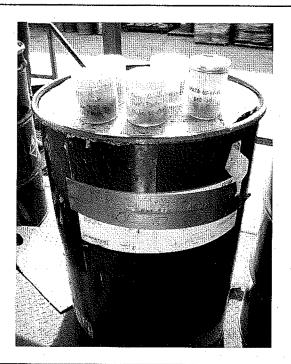


#### Photograph 45

Taken at 3:30pm CST Photo ID: P5040044

OCS-10 completed sample, duplicate sample, and split.

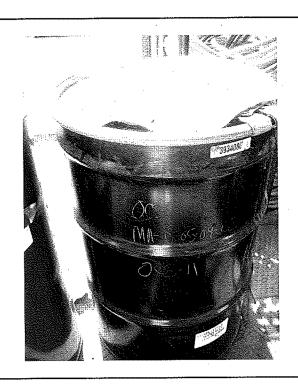
Please note: Photograph 44 was logged in the logbook, but was never taken.



Taken at 3:45pm CST Photo ID: P5040045

OCS-11 completed sample and split.

Please note: Photograph 46 was logged in the logbook. No photo was taken.



# Photograph 48

Taken at 3:55pm CST Photo ID: P5040046

OCS-12 completed sample and split.



# Appendix B

# Documents Provided to Facility:

- Chain of Custody Record 5-50252.
- Receipt for Samples

#### **Sampling Event Date:**

May 4, 2017

#### Facility Name and ID Number:

Mid-America Steel Drum EPA ID: WID045953189

#### Samplers:

Brenda Whitney
Compliance Section 2
-andGraciela Scambiatterra
Compliance Section 1
RCRA Branch
Land and Chemicals Division

PROJECT NAME	Office of Enforcement	Office of Enforcement	ment			S	CHAIN OF CUSTODY RECORD	200	Š Š	2					77 West Jac Chicago,	77 West Jackson Boulevard Chicago, Illinois 60604
STATION LOCATION   TAMERS   TAMERS   TAMERS   TAGON WHERES	PROJ. NO.		TINA	ME	\$ FOUR BIRTH ACCESS ASSOCIATION OF THE PROPERTY OF THE PROPERT	SHEKKRIACIFE HATELBURGE HATELBURGE HATELBURGE HATELBURGE HATELBURG									Activ	vity Cade:
STATION LOCATION   TANIERS   TANIE	·						NO.		. `							***************************************
O O O O O O O O O O O O O O O O O O O	SAMPLERS: (	Print Name a	and Się													
Date / Time Received by: (Signature)  ATTN:  Date / Time Received by: (Signature)	<u></u>	L	сомь.	аячэ	STATIO	IN LOCATION		PAREUN .						TAG	NUMBERS	
Date / Time   Received by: (Signature)   Ship To:				1		1 .		7.	7		-		Annual An	NEUGONECHIAGONICO CONTRACTOR CONT	STRANGES STORMEN OF THE STRANGES STORMEN AND THE STRANGES STORMEN AND THE STRANGES STORMEN AND THE STRANGES STORMEN AND THE STRAIGHT STRANGES STORMEN AND THE STRAIGHT STRAIGH	DONON-WHAT AND
Date / Time   Received by: (Signature)   ATTN:		The second secon		<u>.</u>	1			.0	¥							
Date / Time   Received by: (Sgnature)   ATTN:						***************************************		,*	- 3				-			
Date / Time   Received by: (Signature)   Ship To:   S				N						<del> </del>		427				
Date / Time   Received by: (Signature)   Ship To:   ATTN:	1				1			př.	⟨ (	<u> </u>		<u> </u>				
Date / Time   Received by: (Signature)   Ship To:   S					. 35 -			ř.			- S-7					
Date / Time   Received by: (Signature)   Ship To:   ATTN:   ATTN:   ATTN:   Chain of Custody Seal Numbers					THE PROPERTY OF THE PROPERTY O			31			<b> </b>	1,48				· .
Date / Time   Received by: (Signature)   ATTN:								37	7.5**	<del> </del>		-				
Date / Time   Received by: (Signature)   Ship To:   Date / Time   Received by: (Signature)   ATTN:								<del> </del>	¥'	<u> </u>	<u> </u>	╂		Additional and the state of the		
Date / Time   Received by: (Signature)   Ship To:   Ship To:   Signature)   ATTN:   ATTN:   Arth:   Signature)   Arth:   Art	- Sec			· .				45.1			<b> </b>	<b> </b>				
Date / Time   Received by: ( <i>Signature</i> )   Ship To:				14, <sub>3</sub> ,	THE COLUMN TO TH			V.	3.5	<u> </u>	ļ					
Date / Time Received by: (Signature)  Date / Time Received for Laboratory by:  Chain of Custody Seal Numbers								gard.	ş <sup>3</sup>		<i>A</i> 7	.2				
Date / Time Received by: (Signature)  Date / Time Received by: (Signature)  Date / Time Received for Laboratory by:  (Signature)		·		5	100 mg/s	\$1, 154 154 154 154 154 154 154 154 154 154			.4.			×΄				
Date / Time Received by: (Signature)  Date / Time Received by: (Signature)  Date / Time Received for Laboratory by:  (Signature)									Ì					***************************************	***************************************	
Date / Time Received by: (Signature)  Date / Time Received for Laboratory by:  (Signature)  (Signature)																eestemanisteemaa saata asemaa sa
Date / Time Received by: (Signature)  Date / Time Received for Laboratory by:  (Signature)	Relinquished t	y: (Signature	6	( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )	Date / Time	<u> </u>	re)					Ship	<u>آ</u> 0:			
Date / Time Received for Laboratory by: Date / Time (Signature)	Relinquished b	y: (Signature	(é		Date / Time	Received by: (Signatur	re)									
Date / Time Received for Laboratory by: Date / Time (Signature)					•							ATTN				**************************************
	Relinquished t	y: (Signature	(6		Date / Time	Received for Laborator (Signature)	ry by:		Date	/ Time		Airbill	Number			
	HARAMETRICIANSANASCINAMIATORIZZIANIASCANASCANAS	HEROCOCCOMMANDAMENTAL HANDA CONTROL OF THE PROPERTY OF THE PRO			The second secon			The second second		1	X.	Chain	of Custody	Seal Numbers		

REGION 5

77 West Jackson Boulevard

ENVIRONMENTAL PROTECTION AGENCY

Recycled Paper/Printed with Soy-Based Ink

Date Signed

5-4-17



#### U.S. Environmental Protection Agency Region 5

#### RECEIPT FOR SAMPLES

RECEIPT	FOR SAME LES
Name of Facility	Project Number
Mid America Steel Drum	MASD-05-04-17
Pacility Location 8570 S. Chicago Road Oak Creek, WI 53154	
	CRIPTION
- 3 samples taken to of 3 55-ga	from the Dock Area (Heavie:
- 8 samples taken of 8 55-ga	at the furnace Jock Wondrums
- 1 sample of th	e ash from lugger box.
•	
Facility Representative (signature)	EPA Representative (signature)
Name (print)	Name (print)
lea a savera	Name (print) Regarda Whitney

5-4-17 PLANT MANAGER 5-4-17 Enditorion: Original to Facility Representative; Copy to Project File

Date Signed

KEVIN MEYER

Title